

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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WILLIE ROSE,

Plaintiff,

v.

Case No. 2:16-CV-242

JOSEPH DAMRON, et al.,

HON. GORDON J. QUIST

Defendants.  
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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On April 23, 2018, state prisoner Willie Rose submitted a letter which the Clerk's office docketed as a motion to transfer to a new prison facility and/or a motion for a temporary restraining order. (ECF No. 223.) On July 24, 2018, Magistrate Judge Timothy Greeley issued a Report and Recommendation (R & R), recommending that the Court deny Rose's motion. (ECF No. 263.) On August 10, 2018, Rose filed an objection to the R & R. (ECF No. 275.)

Under Federal Rule of Civil Procedure 72(b), a party "may serve and file specific written objections" to the R & R, and the Court is to consider any proper objection. Local Rule 72.3(b) likewise requires that written objections "shall specifically identify the portions" of the R & R to which a party objects. Under 28 U.S.C. § 636(b), upon receiving objections to a report and recommendation, the district judge "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." After conducting a de novo review of the R & R, Rose's objections and the pertinent portions of the record, the Court concludes that the R & R should be adopted.

The R & R recommended denying Rose's motion because: Rose's request for injunctive relief is unrelated to the claims in his complaint; Rose failed to show that he will be irreparably harmed; the interference by federal courts in state prison matters is disruptive; and Rose failed to meet the requisite "heavy burden" justifying relief. Rose's objections do not cure these failings. Rose asserts that there is "a hit being sought against him," that he was given unsanitary utensils to cut his big-toe nail, and prison officials are tampering with legal mail. (ECF No. 275 at PageID.3006.) Rose included an affidavit that expands upon these assertions. (ECF No. 275-1.) Rose's unsupported assertions do not get him over the legal hurdles discussed in the R & R.

Therefore,

**IT IS HEREBY ORDERED** that the Magistrate Judge's Report and Recommendation (ECF No. 263) is **APPROVED AND ADOPTED** as the Opinion of this Court; Plaintiff's Objections (ECF No. 275) are **OVERRULED**; and Plaintiff's untitled motion (ECF No. 223) is **DENIED**.

Dated: September 7, 2018

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE